

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KIMMARIE NORMAN, Individually and on  
Behalf of All Others Similarly Situated,  
Plaintiff(s)

- against -

THREE IN ONE EQUITIES, LLC

Defendant(s)

22cv3173 (JLR)(JLC)

NOTICE OF PLAINTIFF'S REQUEST TO  
ENTER DEFAULT JUDGMENT  
AGAINST DEFENDANT THREE IN ONE  
EQUITIES, LLC PURSUANT TO FRCP  
55(b)(2) AND ISSUE A PERMANENT  
INJUNCTION, AND AN AWARD OF  
DAMAGES AND ATTORNEY'S FEES  
AND COSTS

**Relief Sought**

Plaintiff KIMMARIE NORMAN moves this court for entry of a default judgment against Defendant THREE IN ONE EQUITIES, LLC under Rule 55(b)(2) of the Federal Rules of Civil Procedure and requests that injunctive relief be granted together with a permanent injunction, damages, and attorney's fees and costs.

**Grounds for Relief**

The Court should enter a default judgment and permanent injunction against Defendant THREE IN ONE EQUITIES, LLC and in favor of Plaintiff and award Plaintiff reasonable attorney's fees and costs because:

1. The default of Defendant THREE IN ONE EQUITIES, LLC was entered by the Clerk of the Southern District Court on September 29, 2023, Dkt. Doc. # 82.
2. Pursuant to Local Civil Rule 55.2(c), all motion papers submitted to the court were duly served by mail to the last known business address of Defendant THREE IN ONE EQUITIES, LLC.

3. Plaintiff's complaint sets forth allegations of Defendants' unlawful discrimination in violation of the Americans with Disabilities Act, 42 U.S.C. § 12182, New York State Human Rights Laws § 296.2, New York State Civil Rights Laws §§ 40-c and 40-d, and New York City Human Rights Laws §§ 8-107.4 and § 8-107.15.

5. Plaintiff seeks a default judgment and permanent injunction proscribing Defendant from discriminating on the basis of disability and requiring Defendant to alter its public accommodation making such public accommodation readily accessible to and usable to individuals with disabilities, remove the unlawfully steep ramp, adjust entrance door so that it does not close too fast, and to install a parallel ramp to provide an accessible route to the entrance.

6. Plaintiff also seeks an award of damages in the amount of \$11,500; attorney's fees in the amount of \$37,452.40; and litigation and costs in the amount of \$632.04.

7. The terms of relief sought in the requested judgment are fully justified by the facts shown in the attached memorandum of law, Declaration of James E. Bahamonde, Declaration of Kimmarie Norman, and Declaration of Jenny Bahamonde, and annexed exhibits.

Dated: October 2, 2023

X /s/ James Bahamonde

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